

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Diodato et al.
Case: 9-7-17-2
Serial No.: 09/865,847
Filing Date: May 25, 2001
Group: 2115
Examiner: Chun Cao

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: *Uma Manna* Date: September 9, 2005

Title: Method and Apparatus for Reducing Leakage Power in a Cache Memory

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application relating to the above-identified patent application. The Terminal Disclaimer is believed to overcome the double patenting rejection, and Applicants hereby respectfully request withdrawal of this rejection. All of the pending claims are believed to be in condition for allowance.

Please charge **Deposit Account No. 50-0762** the amount of \$130.00, to cover the fee. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of this letter is enclosed.

Date: September 9, 2005

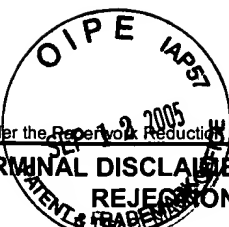
Respectfully submitted,

Kevin M. Mason

Kevin M. Mason
Attorney for Applicants
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)
Diodato 9-7-17-2

In re Application of: **Diodato et al.**
Application No.: **09/865,847**
Filed: **May 25, 2001**
For: **Method and Apparatus for Reducing Leakage Power in a Cache Memory**

The owner*, Agere Systems Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/060,661, filed on January 30, 2002, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

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Kevin M. Mason Septemb 9, 2005
Signature Date

Kevin M. Mason
Typed or printed name
(203) 255-6560
Telephone Number

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